



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 22, 2011

✓ Henrietta Macias

REDACTED

Warning Letter Re: FPPC No. 11/432, Henrietta "Lulu" Macias, Henrietta "Lulu" Macias Putting Children First Governing Board Member Rio School District, and Henrietta Macias, Treasurer

Dear Ms. Macias:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. This letter is in response to sworn complaints filed against you that alleged you purchased clothes from your campaign funds in violation of the Act.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you did purchase clothes using campaign funds.

The Act prohibits candidates from substantially personally benefiting from their campaign funds unless the expenditure of the funds is directly related to a political, legislative, or governmental purpose. (GC § 89512.) Specifically the Act provides that campaign funds shall not be used for campaign, business, or casual clothing. (GC § 89513, subd. (d).)

Your action violated the Act because you purchased clothing you have described as business and professional clothing from campaign funds. However, because you have now reimbursed almost all of the cost of the clothing to your campaign bank account and have stated that you intend to reimburse the balance as well, we are closing this case with a warning letter.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.) The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Adrienne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

GSW:AK:ak

cc: Lynette Lucas